## REMARKS

Claims 1-5, 8-14 and 17-18 are now pending in the application. Claims 20-21 have been cancelled. Claims 1 and 10 are independent.

Claims 20 and 21 were objected to under 37 CFR 1.75(c) as being dependent upon a cancelled claim (Claim 19). Claims 20 and 21 have been cancelled herein rendering the objection to these claims moot.

Claims 1-5, 8-14, 17-18 and 20-21 were again rejected under 35 USC 103(a) as being unpatentable over US Patent 6,323,915 (Marflak et al.), US Patent 5,537,149 (Teraoka et al.) and Applicants admitted prior art (figures 1 and 2). The rejection based on Marflak, Teraoka and Figures 1 and 2, is respectfully traversed and reconsideration is requested.

The Action again takes the position that Marflak teaches the steps of (1) receiving an image having a first aspect ratio and a plurality of sides and (2) displaying the image on a display having a second aspect ratio.

The Action acknowledges that Marflak remains silent on:

(1) "the display having sensors which detect the image"; and

(2) "moving the image as a single entire image".

The Action then relies upon Teraoka as disclosing "a system which expands or compresses the respective video signal, where the video signal is size adjusted to maintain the distance from the original vertical and horizontal center".

Finally, the Action further takes the position that "the use of sensors to control the displayed picture is well-known in the art as disclosed by applicant's Fig 1, 2...to ascertain the position of the displayed image and assist in the adjustment of the displayed picture".

The Action "concludes" that:

> "Sensors are conventional in the art, where sensors are used to center a received signal onto a display. In the event a signal is displayed *which has the desired aspect ratio, where the image is shifted down (or up, left or right), in order to center the signal the signal must be moved (as a single entire image)* up (or down, right or left respectively) in order to provide a centered display which maintains the image aspect ratio".

> "Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to *modify Marflak* which discloses a system which receives either a 16:9 or 4:3 video signal on a 4:3 display, *with conventional sensors* as admitted by applicant's Fig 1,2, and *moving an image of the desired aspect ratio to the sensors, in order to properly align/display the received signal while maintaining the center position of the original image* as disclosed by Teraoka". (emphasis added herein)

Applicants again respectfully submit that the cited art, Marflak, Teraoka and Applicants' Figures 1 or 2, taken in any permissible combination, fail to teach or suggest a method for performing autoconvergence in which *a received image is moved, as an entire image, so that each sensor can detect the corresponding side of the image*.

First, Applicants note that the discussion of Figs 1 and 2 in Applicants' specification specifically states that for sensors 108, 110, 112 and 114, "to perform autoconvergence, the displayed picture *must at least meet or overlap the sensors*" (page 3, lines 10-11). Applicants then further describe the fact that "when a 4:3 aspect picture is displayed on a 16:9 aspect ratio television, the left and right sides of the 4:3 aspect ratio picture do not meet or overlap the left and right sensors....therefore no patterns can be displayed on the left and right sensors" (page 3 lines 21-24).

One skilled in the art would *not be motivated* in any way, to modify or combine the teachings of Marflak or Teraoka, in light of Figs 1 and 2, to implement sensors *and* move an image, as an entire image, towards each sensor, when both Marflak and Teraoka only describe "stretching/compressing an image non-linearly to maintain the center portion of the original signal" (page 8 of Action).

Again, Applicants strongly assert that what the Examiner alleges would be an "obvious" modification/combination to "one of ordinary skill the art", is actually *taught away from* by the teachings of Marflak – specifically, Marflak uses a "border modification signal" to modify and display a "second image". Therefore, Marflak would have absolutely no reason to turn to the teachings of Figures 1 and 2 *to implement sensors* and, then, *to move a received image as an entire image* so that the sensors could detect the sides of the image.

In response to Applicants' previous arguments, the Examiner responded (page 7, (a)) that "Marflak discloses a system which utilizes an edge/border modification signal in order to control the display system to display the received video signal into a modified aspect ratio"; "Teraoka also discusses stretching/compressing the image non-linearly to maintain the center position of the original signal"; and "the use of sensors on a display to control the displayed picture is well-known in the art".

The Examiner then concluded it would be "obvious to modify Marflak...with applicant's admitted prior art and Teraoka, in order to determine the position of the adjusted 2nd aspect ratio video signal, by using conventional display sensors in order to maintain the center position, both horizontally and vertically, of the original 1st aspect ratio receive signal, to therefore provide a received signal onto a display where the aspect ratios may differ and to prevent a burnt screen".

Applicants note that Marflak discusses "minimizing CRT burn lines by reducing signal strength at the beginning and end of the vertical deflection sweep for a 16:9 aspect ratio signal" (being displayed on a 4:3 aspect ratio television) (col. 3, lines 62-64). Figure 6, and col. 6, lines 11-24 further describe Marflak's method for displaying a video signal – specifically, receiving a video signal having a first aspect ratio, generating an edge modification signal and displaying the signal on a display having a second aspect ratio with the top and bottom edges modified in accordance with the edge modification signal.

There is simply no teaching or suggestion, nor would there by any inclination, for Marflak to turn to the alleged teachings of Figs 1 and 2 of the current application, and also to the alleged teachings of Teraoka, to *completely modify* the teachings of Marflak to (1) incorporate sensors (again, Marflak indicates no necessity for, or advantage obtained, by the implementation of sensors) and then to also (2) move an image, as a single entire image, so that each sensor can detect a corresponding side of that image.

Of course, the motivation to modify the prior art must flow from some teaching in the art that suggests the desirability or incentive to make the modification needed to arrive at the claimed invention. In re Napier, 34 USPQ2d 1782, 1784 (Fed. Cir. 1995). In this regard, the Federal Circuit has repeatedly warned that the requisite motivation must come from the prior art

and not Applicants' specification. In re Dow Chem. Co., 5 USPQ2d 1529, 1531-32 (Fed. Cir. 1988).

When an invention is directed to a combination of elements, both the Federal Circuit and the Board have consistently reversed rejections found on references merely showing that the claimed elements or subcombinations of the claimed elements were known. Rather, to support a conclusion of obviousness, "either the references must expressly or impliedly suggest the claimed combination or the Examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." Ex parte Clapp, 227 USPQ 972, 973 (Bd. Pat. App. & Int. 1985).

The Examiner notes (page 9 of the Action) that "the combination of Marflak, Teraoka and applicant's admitted prior art perform the alternative of stretching the image so that the edges of the image can be detected by sensors...therefore it would have been obvious for a combined prior art system to *move an image by shifting the image towards the sensor*, where the system performs stretching the image (increase/decrease) so the edges of the image can be detected by sensors, the examiner maintains it would have been an obvious embodiment". (emphasis added).

Applicants respectfully disagree with the Examiner's analysis and submit that even if Marflak and Teraoka disclose "stretching an image" – neither one teaches or suggests doing so *so that edges of the image can be detected*. And, even further, even if Marflak and Teraoka disclose "stretching an image" – neither one teaches or suggests *moving an image by shifting the entire image towards the sensor*. Therefore, for all of the foregoing reasons, the teachings of Marflak, Teraoka and Figs 1 and 2, at least, plainly fail to suggest the claimed combination.

Moreover, although the Examiner provides an argument as to why the modifications to the teachings of Marflak (based on alleged teachings of Teraoka and Figs 1 and 2) would be helpful, i.e., "so the edges of the image can be detected by sensors", there is no evidence that Marflak was aware of any problem with regard to "detecting edges of the image" at the time the invention was made, much less any evidence that he was in any manner aware that Applicants' invention would likely be useful in overcoming that problem. In re Chilton, 188 USPQ 365, 367 (CCPA 1976).

The Office Action has not provided any evidence as to why one skilled in the art would even be motivated to reach beyond the method of displaying a video signal on a display having a different aspect ratio, taught in Marflak or Teraoka, to incorporate sensors and the movement of the entire image toward each sensor to detect each side of the image therein.

Therefore, Applicants respectfully submit that independent Claims 1 and 10 are patentable over any permissible combination of Marflak, Teraoka and Figs 1 and 2, there is no prima facie case of obviousness, and the rejection should be withdrawn.

Applicants were unable to arrange an interview to discuss the application prior to filing the response. If the Examiner should maintain his rejections, request is respectfully made for an interview to clarify any outstanding issues. In this respect, request is made that the Examiner telephone the Applicants' attorney at (908) 518-7700 in order that any outstanding issues be resolved.

Respectfully submitted,

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